THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.18266 of 2007

28.8.2007

Between:
Nune Venkata Subbamma, W/o.N.Krishna Murthy

…Petitioner

And

The District Collector, Kadapa
And others

…Respondents

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WRIT PETITION No.18266 of 2007

ORDER:

Petitioner purchased an extent of Acs.5.00 in survey No.393/3 situated at Chinna Chowk village in Kadapa District, from one Samala Adilakshumma, who was initially assigned the said land. Presumably for this reason, third respondent initiated action under Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977. However, after considering application of the petitioner by proceedings dated 24.12.2003, third respondent dropped action and confirmed the occupation of land by the petitioner.

It is now alleged that when petitioner started agricultural operations after onset of monsoon third respondent sent his subordinates to stop agricultural operations, as a result of which petitioner is not allowed to enter the land in survey No.393/3. He seeks a direction to respondents not to interfere with her possession.

As rightly submitted by learned Assistant Government Pleader for Revenue (General-A) in paragraph 5 of affidavit accompanying the writ petition vague allegations are made about cause of action. The writ petition, in the opinion of this Court, is filed on mere apprehension. Therefore, this Court observes that even if petitioner's occupation is rendered illegal, she cannot be dispossessed without issuing any notice or without due process of law.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(**V.V.S.RAO, J**)

August 28, 2007
YS